

**SPECIAL CHOICE OF RESOLUTION FORM**  
Student Conduct and Community Standards  
University of Oregon

Student Name: Brandon Tristan Austin      Student ID# **Redacted**

Incident Date: March 09, 2014      Case Number: 00516-002-2014

Description: You engaged in sexual acts with a fellow student without explicit permission.

**Summary of Alleged Violations:**

1. **Sexual Misconduct** : Oregon Administrative Rule 571-021-0120(3)(h)  
Sexual Misconduct. A mission of the Student Conduct Code is to encourage good decision-making, personal integrity, and interpersonal behavior that is cooperative rather than coercive and that respects the rights of others. Sexual misconduct violates these values, and is committed when a student engages in sexual behavior described in OAR 571-021-0105(30). OAR 571-021-0105(30) "Sexual Misconduct" means: (a) Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one: (A) Does not first obtain Explicit Consent from that person; or (B) Knows or should have known the person was incapable of consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness. (b) Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress: (A) Without having first obtained Explicit Consent; or (B) When he or she knows or should have known the person was incapable of consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness. (c) Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that interferes with work or academic performance because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant's status when the conduct is unwelcome and sufficiently severe or pervasive that it deprives that person of benefits of the University's educational environment.

Students accused of violating the Student Conduct Code have a choice of how they can have their case heard. Sign below ONE choice:

**1. Special Administrative Conference:** This option is a hearing with an administrator. If you select this option, the hearing can take place immediately afterward. In this type of hearing, the full range of sanctions are possible. All decisions made are final; you cannot appeal. Also, during this type of hearing, the administrator may refer you to the Restorative Justice program or Conflict Resolution Services in addition to or in substitution of sanctions.

I affirm I have had the opportunity to consult with an adviser of my choosing. I also understand that by waiving my right to a panel hearing, I give up the right to have the accuser at the hearing with me. I agree to waive my right to an appeal, and I give permission for the Director of Student Conduct and Community Standards or his designee, to choose from the full range of University sanctions if he or the designee finds me responsible. These include suspension, ~~expulsion~~ and/or negative notation on my academic transcript.

Signing below confirms the choice of a special administrative hearing and above affirmation.

Signature: BLH Date: \_\_\_\_\_

*To finding of Code Violation -  
unspecified*

**2. Panel Hearing:** This option is a hearing with a panel made up of a mixture of four to five students, staff, and faculty. If you select this option, a hearing time will be set 21-30 days later (or longer depending on term breaks and the discretion of the Director of SCCS). In this type of hearing, all University sanctions are possible, including suspension, expulsion, and negative notation on the transcript. You or the complainant may appeal the Panel's decision on the limited bases allowed by the Student Conduct Code.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Students may have an advisor present with them during the hearing, but it is not required. Indicate your advisor situation with initials:

1. I am not here with an advisor nor do I wish to have one.

2. I am here with an advisor: Laura Fine Muro

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**Case heard by:** None

**Case heard in default? yes / no** date: \_\_\_\_\_

**Hearing Notes/Sanctions:**